



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000

711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

July 8, 2010

Mr. David Hanna  
City of Olympia Parks, Arts, and Recreation Department  
222 Columbia St NW  
Olympia WA 98501

Dear Mr. Hanna:

On July 2, 2010, the City of Olympia submitted a Federal Consistency Determination stating that the proposed reconstruction of Percival Landing including dredging, removal and replacement of the existing boardwalk, viewing pier, platforms, moorage floats and finger piers; shoreline restoration and upland improvements is consistent with the Washington State Coastal Zone Management Program (CZMP). Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, the Department of Ecology (Ecology) concurs with the determination that the proposed work is consistent with Washington's CZMP.

You have the right to appeal this decision to the Pollution Control Hearings Board. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; **electronic copies are not accepted.**

**1. To file your appeal with the Pollution Control Hearings Board**

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Mail appeal to:

The Pollution Control Hearings Board  
PO Box 40903  
Olympia, WA 98504-0903

OR

Deliver your appeal in person to:

The Pollution Control Hearings Board  
4224 – 6th Ave SE Rowe Six, Bldg 2  
Lacey, WA 98503

**2. To serve your appeal on the Department of Ecology**

Mail appeal to:

The Department of Ecology  
Appeals Coordinator  
P.O. Box 47608  
Olympia, WA 98504-7608

OR

Deliver your appeal in person to:

The Department of Ecology  
Appeals Coordinator  
300 Desmond Dr SE  
Lacey, WA 98503

**3. And mail a copy of your appeal to:**

Helen Pressley  
Department of Ecology  
Shorelands and Environmental Assistance  
P.O. Box 47600  
Olympia WA 98504-7600

For additional information visit the Environmental Hearings Office Website:  
<http://www.eho.wa.gov>

To find laws and agency rules visit the Washington State Legislature Website:  
<http://www1.leg.wa.gov/CodeReviser>

Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B.320. These procedures are consistent with Ch. 43.21B RCW.

If you have any questions regarding Ecology's consistency determination please contact Helen Pressley at 360-407-6076.

Sincerely,



Brenden McFarland, Section Manager  
Shorelands & Environmental Assistance Program  
Headquarters Office – Ecology  
State of Washington

By certified mail 7005 1820 0000 7659 3366

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cc: Darren Habel, Corps  
Olympia Yacht Club, 201 Simmons St NW, Olympia WA 98501  
Capitol Center LLC, 13930 A 92<sup>nd</sup> St SE, Snohomish WA 98290  
Views on Fifth Avenue, 2621 2nd Ave #1005, Seattle WA 98121  
Joseph Illing, 3241 Musser Dr SW, Olympia WA 98512  
T & L LLC, PO Box 12329, Olympia WA 98509  
Water St Building LLC, 222 W 4<sup>th</sup> Ave, Olympia WA 98501  
T & L LLC, 6030 Troon Ln SE, Olympia WA 98501  
Russell and Thyges Shaub, 1117 Broadway Plaza Suite 500, Tacoma WA 98402  
David and Sheri Shaub, 1117 Broadway Plaza Suite 500, Tacoma WA 98402  
Donna Weist, 9040 Salty Dr NW, Olympia WA 98502  
Hulbert Holdings LLC, 413 Bates St SE, Tumwater WA 98501  
Evergreen Olympic Properties, 724 Columbia St NW Suite 200, Olympia WA 98501  
MG Burgher & Assoc, PO Box 309, Carlton WA 98814  
PIH Olympia LLC, 12265 El Camino Real Suite 300, San Diego CA 92130  
Vine St Investors LLC, PO Box 430, Arlington WA 98223  
Shaub-Ellison & Co, 1117 Broadway #500, Tacoma WA 98402  
Port of Olympia, Attn: Clarita Mattox Property Manager, 915 Washington St NE, Olympia WA 98501  
City of Olympia, Attn: Fran Eide City Engineer, PO Box 1967, Olympia WA 98507  
DNR South Puget Sound Region, Attn: Shannon Soto, 950 Farman Ave N, Enumclaw WA 98022

ecc: Loree' Randall, Ecology  
Helen Pressley, Ecology  
Laura Inouye, Ecology  
Alex Callender, SWRO Ecology  
[jenni\\_dykstra@fws.gov](mailto:jenni_dykstra@fws.gov)  
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